

1 AN ACT in relation to homeless persons.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Bill of Rights for the Homeless Act.

6 Section 5. Legislative intent. It is the longstanding  
7 policy of this State that no person should suffer  
8 unnecessarily from cold or hunger, or be deprived of shelter  
9 or the basic rights incident to shelter. At the present time,  
10 many persons have been rendered homeless as a result of  
11 economic adversity, a severe shortage of affordable housing,  
12 and increased stress due to the complexity of daily living  
13 that has created an inability on the part of those persons  
14 to interact in society. It is the intent of this Act to  
15 lessen the adverse affects and conditions caused by the lack  
16 of residence or a home.

17 Section 10. Bill of Rights.

18 (a) No person's rights, privileges, or access to public  
19 services may be denied or abridged solely because he or she  
20 is homeless. Such a person shall be granted the same rights  
21 and privileges as any other citizen of this State. These  
22 rights include but are not limited to the following:

23 (1) The right to live in any community in this  
24 State in which he or she can afford to live.

25 (2) The right to choose a type of living  
26 arrangements in accordance with local regulations  
27 without harrassment or interference from any other  
28 citizen or from any public or private entity.

29 (3) The right to employment and training  
30 opportunities in accordance with his or her interests

1 and abilities.

2 (4) The right to access to emergency medical health  
3 services in any health care facility doing business in  
4 this State.

5 (5) The right to manage his or her own personal  
6 finances notwithstanding his or her living arrangements,  
7 unless (i) the person voluntarily signs a written  
8 agreement, sworn to and witnessed before a notary  
9 public, authorizing an individual or agency to manage his  
10 or her finances or (ii) the person has been ruled or  
11 adjudicated by a court of competent jurisdiction to be  
12 incompetent to manage his or her financial affairs.

13 (6) The right to not be coerced or penalized in any  
14 way for not taking any medication or for not undergoing  
15 any medical treatment that has not been authorized by a  
16 qualified physician.

17 (7) In the case of a group living arrangement or  
18 long-term care facility, the right to receive and sign  
19 any check, voucher, or other warrant or legal tender  
20 issued in his or her name before the moneys may be  
21 expended by the person's landlord or a public or private  
22 agency, unless the person waives the right in a writing  
23 sworn to before a notary public. If the person is  
24 unable to sign his or her name, the person may make his  
25 or her signature with an "X" that is witnessed by 2  
26 other persons not employed or directly associated with  
27 the landlord or agency, preferably a relative or  
28 guardian of the person or someone designated by the  
29 person beforehand.

30 (8) The right to vote, which may not be denied  
31 solely because the person does not have a permanent  
32 residence.

33 (9) The right not to be forced out of any permanent  
34 public or private shelter during the period from

1 December 1 of any year through March 1 of the following  
2 year, during any week in which the outside temperature  
3 is 32 degrees Fahrenheit or below.

4 (10) The right to not be forced to live in any  
5 shelter, institution, or other living arrangement against  
6 his or her will, unless the person has been adjudicated  
7 by a court of competent jurisdiction as being mentally  
8 incompetent and poses a threat to himself or herself or  
9 society.

10 (11) The right of visitation with family members,  
11 friends, clergy, and professional or public consultants  
12 notwithstanding the person's living arrangements, as long  
13 as the visitation does not interfere with the smooth  
14 operation of the person's place of residence.

15 (12) The right to receive public services or  
16 accommodations offered to any other citizen of this State  
17 in accordance, with established eligibility guidelines  
18 for those services.

19 (b) The Department of Public Health shall monitor and  
20 enforce the rights of homeless persons set forth in  
21 subsection (a). The Department may designate one or more  
22 local health departments or local health officers to monitor  
23 and enforce those rights.

24 Section 15. Penalty for violation of rights. A person  
25 who violates any of the rights of homeless persons set forth  
26 in subsection (a) of Section 10 is guilty of a Class B  
27 misdemeanor, unless a different penalty is prescribed in  
28 this Section. A person who violates paragraph (6) or (7) of  
29 subsection (a) of Section 15 is guilty of a Class A  
30 misdemeanor.

31 Section 20. DCCA; housing assistance. The Department of  
32 Commerce and Community Affairs may establish priorities of

1 eligibility for temporary rental or other housing assistance  
2 among the various categories of persons needing assistance  
3 in obtaining or retaining housing, including, without  
4 limitation, persons subject to immediate eviction for  
5 nonpayment of rent or subject to foreclosure for nonpayment  
6 of mortgage installments or property taxes, when nonpayment  
7 is attributable to illness, unemployment, underemployment, or  
8 any other failure of lack of resources beyond the person's  
9 control.